


Jan. 26<sup>th</sup>, 2016

RECEIVED  
FEDERAL ELECTION  
COMMISSION

2016 FEB -1 PM 12: 12

Federal Election Com.  
Office of Complaints Exam.  
Ms. Donna Rawls  
RE: MUR 6999,  
Exp. Congressional Com. For David Larsen  
DBA; David Larsen for Congress

OFFICE OF GENERAL 

General Counsel's Office  
Dear Ms. Donna Rawls,

Please know I received the complaint from your office on Jan. 20<sup>th</sup> and wished to comply in a timely manner in accordance with the requirements. I have always committed myself to comply with the FEC rules, and never stated that I was a candidate until Dec. 2015 when I officially registered on Dec. 29<sup>th</sup> 2015, so this complaint came as a surprise.

After reviewing the complaint, it became obvious [in my opinion] that Mr. Nelson as an attorney expended a substantial amount of time either keeping tabs on me or researching information during my exploratory period. According to attached financial disclosure reports, it seems he has previously financially contributed to my opponent. It questions the motive for the legal document, either he is a concerned citizen or he has been asked to file this complaint by another person or group who wishes to remain anonymous.

The FEC campaign guide states that individuals who are testing the waters does not have to register or report as a candidate even if the individual raises or spends more than \$5,000 on those activities [i.e., the dollar threshold that would normally trigger candidate reg.] Once an individual campaigns or becomes a candidate, the funds that were raised or spent to test the waters would apply and must be reported on quarterly reports.

My FEC registered committee names are; Exploratory Congressional Committee for David Larsen DBA; David Larsen for Congress and Committee to elect David Larsen to Congress DBA; David Larsen for Congress.

This year's primary is proving to be very unfavorable to incumbents, so what I believe to be the motive, one can understand the political campaigning strategy for this complaint. However, the motive for the complaint in relation to the FEC may or may not be pertinent, either way; I will address the accusations/complaints individually.

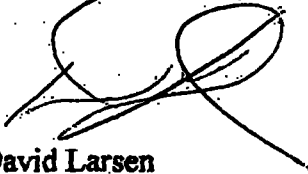
Please know that I did not decide to campaign for office until Dec. 2015, when I filed online for candidacy, Candidate FEC Form 2 ID# H6NJ07169. The decision is made once one has determined the potential of various forms of support, along with the possibility of other viable candidates and the political atmosphere. This is quite a long an exhausting process.

11004474001-1100

As you are probably aware, campaigning for office requires stringent demands and is very taxing on one's family and self. If there is any discrepancy, please know that it was unintentional and I apologize to this commission for any inconvenience or expended resources this may have caused.

Thank you in advance for the opportunity to respond. If the commission has any additional questions, please do not hesitate to contact me.

Respectfully,



David Larsen  
PO Box 214  
Oldwick, NJ 08858

OR:

[Dave@electlarsen.com](mailto:Dave@electlarsen.com)

1606444001-1

**Complaint responses:**

1] The FEC campaign guide states that individuals who are testing the waters does not have to register or report as a candidate even if the individual raises or spends more than \$5,000 on those activities [i.e., the dollar threshold that would normally trigger candidate reg.] Once an individual campaigns or becomes a candidate, the funds that were raised or spent to test the waters would apply and must be reported on quarterly reports.

I am filing my quarterly report for Dec. 31, 2015 which is due by Jan. 31<sup>st</sup> 2016 as required after becoming a candidate.

2] While attending the Rep. Convention, which was the first one in many years, I was asked by reporter Max Pizarro "if I would run again". I answered him "I think we'll probably do it again, and if we did, we would win this time." Mr. Pizarro then asked me some other questions in reference to Rep. Lance's record in which I opined "It may be time to do it again".

I never stated that I was a candidate or campaigning for office, just that it was a possibility. I have no control over what a reporter writes, reporters have an interest in creating controversy or interest in an article as the headline taken out of context stated "Larsen on a 2016 GOP Primary against Lance; "We'll win this time"

3] I sponsored a table at the Reagan Day Dinner and it stated Exploratory Committee. As part of the process to determine the support one may have, a potential candidate must inform potential supporters the possibility of a candidacy. If an office is not identified, then how is one to know if the potential to run is relevant? A potential candidate cannot determine the amount of support unless people know the office in which the person is considering.

Again, no mention of candidacy.

4] The cost to sponsor the table was \$550.00

5, 6 & 7] Two fundraisers were held, 1 in July and the other in Sept., under the Exploratory label at the Lehigh Valley Sporting Clays Club. The event was to evaluate the support of sportsman in our district. A person had the option to either register with Mr. Penna, mail in, or at the time via a website which identified David Larsen for Congress Exploratory Com. Mr. Penna is a personal friend and staunch supporter of my efforts. He is not a paid consultant to my efforts, either in the past or presently. He has experience working on other campaigns and has been involved with my efforts for years.

During both fundraisers everything identified this to be a David Larsen for Congress Exp. event, the attendees were made aware that I was not a candidate for Congress; I was just evaluating the possibility of different forms of support.

8] The October Twitter/constant contact states "Leonard Lance. Lance's alliance with both John Boehner and his accomplice, Kevin McCarthy" and "hopefully this election cycle may just ring

1-800-444-4001

the death bell for their careers" it does not say that I am running, it is a generic statement stating that hopefully they will be unseated.

The last 3 sentences identify the beliefs of the GOA and Mr. Michael Reagan, who in the past supported me, and asks for support for an elected office. It does not state that I am a candidate and does identify in the bottom disclaimer Exploratory Comm

However, the last sentence could have been worded differently.

9-20] The Dec. 11<sup>th</sup>, 2015 letter sent to Mr. Nelson was part of a fundraising effort which identified Republican donors over the years, both in and outside NJ District #7. I did decide to run for office in Dec. as stated in the cover letter and had understood the FEC to require you register/file as a candidate within 30 days of your decision, which I did on Dec. 29<sup>th</sup>, 2015.

21-37] The FEC campaign guide states that individuals who are testing the waters does not have to register or report as a candidate even if the individual raises or spends more than \$5,000 on those activities [i.e., the dollar threshold that would normally trigger candidate reg.] Once an individual campaigns or becomes a candidate, the funds that were raised or spent to test the waters would apply and must be reported on quarterly reports.

Please know I did not deploy signs, open a campaign office, seek signature petitions, advertise on radio, tv or newspapers. I did not actively campaign as a candidate until recently in Dec. Anything that was used to identify me as a potential candidate for congress had the disclaimer Exp. Comm.

The majority amount of funds I used for my Exploratory period was from my own personal funds. The total amount of donations prior to my decision to become a candidate in Dec. does not, in my opinion, rise in excess of what could reasonably be expected during a Exp. period, especially in the NJ 7<sup>th</sup>, where a potential insurgent candidate will be up against an incumbent who has spent an aggregate in the millions of dollars campaigning over the prior primary election periods.

Please know that at no time prior to Dec. 2015, did I ever orally state or write, nor authorize anyone else too, that I was a candidate for Congress, but common sense demands you identify to potential supporters of what office you may potentially be seeking.

I have had the privilege and honor of being a candidate for Congress in the past. I have with all good intentions attempted to abide by all the rules and regulations pertaining to campaigning and candidacy in the past, and desire to continue doing so.

I am not an attorney, so this reply is not set up like a legal document. So again, if there is any discrepancy, please know that it was unintentional and I apologize to this commission for any inconvenience or expended resources this may have caused.

David Larsen

100474704-100

**SCHEDULE A (FEC Form 3 )  
ITEMIZED RECEIPTS**Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 39 / 87

(check only one)

<input checked="" type="checkbox"/>	11a	<input type="checkbox"/>	11b	<input type="checkbox"/>	11c	<input type="checkbox"/>	11d	<input type="checkbox"/>	15
<input type="checkbox"/>	12	<input type="checkbox"/>	13a	<input type="checkbox"/>	13b	<input type="checkbox"/>	14	<input type="checkbox"/>	

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Lance for Congress

A.

Full Name (Last, First, Middle Initial)

Mr. Brian Nelson

Mailing Address 106 Park Avenue

City

Shrewsbury

State

NJ

Zip Code

07702-4412

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
Menna, Nelson Law FirmOccupation  
Attorney

Receipt For: 2010

Primary ☐ General ☒

Other (specify) ▼

Election Cycle-to-Date ▼

800.00

Date of Receipt

10 18 2010

Transaction ID: 01019.C4850

Amount of Each Receipt this Period

300.00

Receipt

B.

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2010

Primary ☐ General ☒

Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

11 02 2010

Transaction ID: 01115.C4994

Amount of Each Receipt this Period

Receipt

C.

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For: 2010

Primary ☐ General ☒

Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

11 02 2010

Transaction ID: 01115.C4937

Amount of Each Receipt this Period

Receipt

SUBTOTAL of Receipts This Page (optional) ▶

1800.00

TOTAL This Period (last page this line number only) ▶

# **SCHEDULE A (FEC Form 3 )** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER: PAGE 34 / 81

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 11d  
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Lance for Congress

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

2010

Primary

General

☒ Other (specify) ▼  
Primary 2010

Election Cycle-to-Date ▼

Date of Receipt

MM / DD / YYYY  
02 / 22 / 2010

Transaction ID: 00409.C3989

Amount of Each Receipt this Period

Receipt

Full Name (Last, First, Middle Initial)

Brian Nelson

Mailing Address 106 Park Ave

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer  
Menna, Nelson Law Firm

Occupation  
Attorney

Receipt For:

2010

Primary

General

☒ Other (specify) ▼  
Primary 2010

Election Cycle-to-Date ▼

500.00

Date of Receipt

MM / DD / YYYY  
02 / 22 / 2010

Transaction ID: 00409.C4019

Amount of Each Receipt this Period

500.00

Receipt

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing  
federal political committee.

C

Name of Employer

Occupation

Receipt For:

2010

Primary

General

☒ Other (specify) ▼  
Primary 2010

Election Cycle-to-Date ▼

Date of Receipt

MM / DD / YYYY  
02 / 22 / 2010

Transaction ID: 00409.C3982

Amount of Each Receipt this Period

Receipt

SUBTOTAL of Receipts This Page (optional)

3900.00

TOTAL This Period (last page this line number only)

## CHAPTER I

# Testing the Waters

Before deciding to campaign for federal office, an individual may first want to "test the waters"—that is, explore the feasibility of becoming a candidate. For example, the individual may want to travel around the state or district to see if there is sufficient support for his candidacy. An individual who merely conducts selected testing the waters activities that fall within the exemptions in FEC regulations that are discussed in Section 1 below (but does not campaign for office) does not have to register or report as a candidate even if the individual raises or spends more than \$5,000 on those activities (i.e., the dollar threshold that would normally trigger candidate registration (which is discussed in Chapter 2)). Nevertheless, the individual must comply with the contribution limits and prohibitions, 100.72(a) and 100.131(a); see also Advisory Opinion (AO) 1985-40.

Once an individual begins to campaign or decides to become a candidate, funds that were raised or spent to test the waters apply to the \$5,000 threshold for qualifying as a candidate, 100.72(a) and 100.131(a). Once that threshold is exceeded, the individual must register with the FEC (candidates for the House of Representatives) or the Secretary of the Senate (candidates for the Senate), and begin to file reports (including in the first report all activity that occurred prior to reaching the \$5,000 threshold), as discussed in Chapter 2.

### I. Testing the Waters vs. Campaigning

#### Testing the Waters

An individual may conduct a variety of activities to test the waters. Examples of permissible testing-the-waters activities include polling, travel and telephone calls undertaken to determine whether the individual should become a candidate, 100.72(a) and 100.131(a).

The same guidance for "testing the waters" applies to individuals testing the waters for a Presidential candidacy. Once the threshold is exceeded, such individuals must register their candidacy with the FEC.

2016 primary



## FEDERAL ELECTION COMMISSION

COMMITTEE

## FEC FORM 2: STATEMENT OF CANDIDACY

ACCEPTED FEC-1037570

The Candidate ID : H5NJ07169

Thank you. Your filing has been successfully submitted to the  
FEC.

Click here to view your filing history.
Click here to view your filing history.

Commission regulations require Principal Campaign Committees to register with the FEC by filing a Statement of Organization (FEC Form 1) no later than 10 days after designation by the candidate (11 CFR §102.1(a)).

Click here to view your filing history.
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100444001-14M





# FEDERAL ELECTION COMMISSION

COMMITTEE

## FEC FORM 1: STATEMENT OF ORGANIZATION

ACCEPTED FEC-1037571


The Committee ID: C00600775

Thank you. Your filing has been successfully submitted to the FEC.

You will receive a welcome packet from the FEC within 24 hours.

Click here for Election Results
Click here to view your committee page
Click here to view your committee page

160444001-1474

roundcube 

MD5 Checksum:  
db29ed31c372a65ee408a19d4e465c2b

Write or type Committee Name

# **Exploratory Congressional Committee for David Larsen DBA: David Larsen for Congress**

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Committee to elect David Larsen to Congress DBA: David Larsen for Congress

Mailing Address

PO Box 214

Oldwick

NJ

08858

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☒ Joint Fundraising Representative ☐ Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Mr. David Larsen

Mailing Address

PO Box 214

Oldwick

NJ

08858

Title or Position

CITY

STATE

ZIP CODE

Treas.

Telephone number

908

448

0347

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name  
of Treasurer

Mr. David Larsen

Mailing Address

PO Box 214

Oldwick

NJ

08858

Title or Position

CITY

STATE

ZIP CODE

Treas

Telephone number

908

448

0347

1100440001-1109